

*See all*

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NURADEEN ALAMIN,  
Plaintiff

vs.

CIVIL ACTION NO.

J. MINER, TROY LEVI,  
M. L. FURMAN, R. ADAMS and  
M. FETZER,  
Defendants

F  
HARRI

DEC

ORDER

MARY E. D  
Per

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The pro se plaintiff, an inmate at FPC-All Pennsylvania, has filed objections to the report and recommendation of the magistrate judge, styled as a to the report. The magistrate judge recommends that be dismissed for failure to state a claim upon which granted.

The Plaintiff filed this action alleging t Furman intentionally destroyed the Plaintiff's appli transferred to M.D.C. Brooklyn. The magistrate judge pointed out that the Plaintiff has no constitutional incarceration in any particular prison and hence cou Furman's action, even if it happened. In his object Plaintiff complains that his imprisonment at Allenwo him from receiving visitors. This is an unfortunate

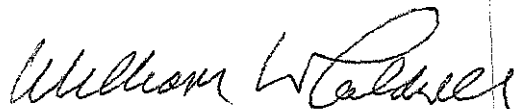
the government's right to incarcerate him in any of its prisons but does not make his claim actionable. See Olim v. Wakinekona, 461 U.S. 238, 103 S.Ct. 1741, 75 L.Ed.2d 813 (1983) (prisoner can be sent out-of-state to serve his time).

Accordingly, this 14th day of December, 2000, upon consideration of the report of the magistrate judge, dated November 21, 2000, the objections that have been filed, and independent review of the record, it is ordered that the magistrate judge's report is adopted. It is further ordered, pursuant to the magistrate judge's recommendation, that:

1. This action is dismissed for failure under 28 U.S.C. § 1915(A) to state a claim upon which relief may be granted.

2. Any appeal from this order would not be in good faith.

3. The Clerk of Court shall close this file.



William W. Caldwell  
United States District Judge

